

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REORGANIZATION AND OATH OF OFFICE
AND REGULAR MEETING
NOVEMBER 16, 2004
DRAFT MINUTES

Reorganization of the Board of the County Commissioners and Oath of Office for Newly Elected Commissioners

At 2:30 p.m. on November 16, 2004, Clerk of the Circuit Court Bob Inzer assumed Chairmanship and presided over the Swearing-in Ceremony.

Clerk Inzer introduced Pastor Randy Ray from Temple Baptist Church to provide Invocation and following that, Clerk Inzer led the group in the Pledge of Allegiance to the Flag.

Clerk Inzer recognized other elected officials and past officials in the audience: Senator Al Lawson, Senator Nancy Ordensiona, Chief Judge Charles Frances, School Board Member Dee Crumpler, former County Commissioner Gary Yordon, Bruce Host, J. Lee Vause, and former City Commissioner John Paul Bailey and Dick Wilson.

Clerk Inzer introduced the current Commissioners:

The Honorable Jane G. Sauls, Chairman
The Honorable Cliff Thael, Vice Chairman
The Honorable Bill Proctor
The Honorable Dan Winchester
The Honorable Tony Grippa
The Honorable Bob Rackleff

Judge Charles Frances came to the podium and invited newly-elected commissioners and their witnesses to approach the podium:

The Honorable Jane G. Sauls, District 2
The Honorable Tony Grippa, District 4
The Honorable Ed DePuy, At-Large

Judge Frances asked each newly-elected commissioner to read the oath of office:

Oath:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the State of Florida; that I am duly qualified to hold office under the Constitution of the State; and that I will well and faithfully perform the duties of the office of County Commission on which I am now about to enter, so help me God.

Commissioners Jane Sauls, Tony Grippa, and Ed DePuy took the Oath of Office and were duly sworn in. The newly sworn Commissioners joined the other Commissioners at the Dias.

Outgoing Chairman Sauls approached the podium and gave outgoing remarks, thanking fellow Commissioners and County staff. She elaborated on various accomplishments over the past year such as the Emergency Management Services (ambulance service), Ft. Braden Branch Library, the County's new private road repair program, and efforts to acquire property for the Woodville Community Project.

Vice-Chairman Cliff Thaell approached the podium and presented, on behalf of the Board, outgoing Chairman Sauls with a plaque in honor of her service over the past year.

Commissioner Grippa informed Chairman Sauls that a tree would be planted at the Ft. Braden Branch Library with a plaque put in front of it indicating that the tree is being planted in her honor.

Reorganization of the Board

Clerk of the Circuit Court Inzer called for nominations on the floor for Chairman of the Board of County Commissioners of Leon County, Florida.

Commissioner Rackleff moved and was duly seconded by Commissioner Winchester to nominate Commissioner Thaell as Chairman of the Board of County Commissioners for the upcoming year. The motion carried unanimously, 7/0.

Clerk Inzer opened nominations for Vice-Chairman of the Board of County Commissioners of Leon County, Florida, for the upcoming year.

Commissioner Winchester moved and was duly seconded by Commissioner Grippa to appoint Commissioner Proctor as Vice-Chairman of the Board of County Commissioners. The motion carried unanimously, 7/0.

State Representative Al Lawson approached the podium and commended outgoing Chairman Sauls for her service during the past year. He then administered the Oath of Office to newly elected Chairman Thaell:
"I, (state name), do solemnly swear, that I will well and faithfully execute the duties of the office of Chairman of the Leon County Board of County Commissioners, to the best of my ability, so help me God."

The gavel was presented to newly elected Chairman Thaell.

Newly elected Chairman Thaell stated that it was an honor to once again serve this Board as Chairman for the 2004-2005 year and that he would continue to ensure that all voices are heard and that every commissioner is respected and heard with equal deference. He further indicated that one of his priorities would be to revise the rules to codify the seniority rotation system so that each Commissioner would be equally assigned the task of service as Chairman of this Commission.

Other issues that would be undertaken in the upcoming year, noted Chairman Thaell, would be appropriate compensation for corrections workers, alternative funding opportunities for various services (rather than taxing property owners), elimination of the Healthcare Municipal Services Tax, referendum for a penny sales tax, and initiatives to protect drinking water which include partnership with the City of Tallahassee.

Reverend Dr. Brant S. Copeland, Pastor, First Presbyterian Church, Tallahassee delivered the closing prayer and benediction.

Chairman Thaell invited everyone to join the Commission for a reception in the lobby. The meeting adjourned at 3:25 p.m.

The Board reconvened the Regular Meeting at 5:00 p.m. in the Commission Chambers.

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
NOVEMBER 16, 2004
DRAFT**

The Board of County Commissioners of Leon County, Florida, met in regular session with Chairman Thaell presiding. Present were Commissioners Proctor, Sauls, Winchester, Grippa, Rackleff, and DePuy. Also present were County Attorney Herb Thiele, County Administrator Parwez Alam, Deputy Clerk Sandra C. O'Neal.

Invocation was provided by Melanie Annis, Executive Director of the Hillel Foundation for Jewish Campus Life at FSU at the invitation of Commissioner Rackleff. It was followed by the Pledge of Allegiance to the Flag.

Awards and Presentations

- a. Commissioner Sauls presented the attached resolution to Steve Beasley recognizing his abundant contributions to the community and his efforts on behalf of many public officials' campaigns. Accolades were made by friends and public officials:

Clerk of the Circuit Court, Bob Inzer, presented a plaque to Mr. Beasley, Community Outreach Liaison, in honor of his retirement, after 25 years with the Clerk's Office. Mr. Inzer presented Mr. Beasley with a cashiers check in the amount of \$700 from donations from numerous friends, colleagues, and elected officials.

A representative from the Tallahassee Chapter of the NAACP, on behalf of the NAACP Executive Committee, presented the NAACP Civil rights Medal of Honor to Mr. Beasley.

Ronnie Youngblood, representing Bill Montford, Superintendent of Leon County School Board, presented Mr. Beasley wit a proclamation from the Board for his long-time efforts volunteering in Leon County schools and serving Leon County students.

Speakers also included: State Representative Curtis Richardson; County Commissioners Sauls, Thael, and Proctor; Property Appraiser Bert Hartsfield; Sheriff Larry Campbell; State Attorney Willie Meggs; City Commissioner Debbie Lightsey; Georgia Legislator, John White; and other family members and friends.

Mr. Beasley invited citizens to attend the lighting of the "Tree of Remembrance", sponsored by Big Bend Hospice, November 21, 2004 at 6:00 p.m., at Tallahassee Mall.

Mr. Beasley announced that a free Thanksgiving dinner on November 25th will be served at the Old Buffet, thanks to the generosity of Pepper Ghazvini.

- b. Commissioner Grippa continued his presentation of a resolution to Major Watson.
- c. Chairman Thael presented the attached resolution to Beth Lacivita in recognition of her efforts as former Executive Director at the Tallahassee Trust for Historic Preservation and work for preservation of Tallahassee/Leon County historic resources.

Consent

Commissioner Sauls moved, duly seconded by Commissioner DePuy and carried unanimously, 7/0, to approve Consent Agenda as described with the exception of Items 5, 7 and 22 which were pulled for discussion:

- 1. Approval of Minutes

The Board approved Options 1, 2, and 3: 1) Approve the minutes for June 29, 2004 Special City/County/School Board Meeting; 2) Approve the minutes for July 27, 2004 Special Meeting; 3) Approve the October 12, 2004 Regular Meeting.

2. Approval of Required Bonds for Newly Elected Commissioners

The Board approved Option 1: Approve the Bonds for Commissioner Sauls, Grippa, and DePuy in the amount of \$2,000.

3. Bills and Vouchers

The Board approved Option 1: Approve payment of bills and vouchers submitted for approval for November 16, 2004, and pre-approve payment of bills and vouchers for the period of November 17, 2004 through November 29, 2004: \$ 9,703,861.25

4. Approval of Revisions to the County's Fiscal Planning Policy No. 93-44

The Board approved Option 1: Approve revisions to the County's Fiscal Planning Policy No. 93-44 to address the timeliness of outside agency funding requests.

5. Acceptance of the Report on the County's Fund Balance Policy in Regards to Addressing Natural Disaster

This is a request to accept staff's report on the County's Policy No. 99-3, Use of Contingency Reserves (Fund Balance Policy) as adequate to address natural disasters.

This item was pulled for discussion. Commissioner Grippa asked OMB Director Alan Rosenzweig for clarification regarding some issues.

Mr. Rosenzweig explained that no less than 10 percent of the County's budget goes into the reserve fund balance; the contingency account amount is approximately \$500,000; approximately 15-18% is in the reserve account; approximately \$15-18 million is in the fund balance; the County's budget is \$200 million.

Commissioner Grippa wanted to know if OMB felt more comfortable having an unappropriated fund balance rather than establishing a natural disasters fund. Mr. Rosenzweig responded that the uncommitted fund balance does not limit using funds for emergencies to natural disasters; the bond rating agencies look at uncommitted funds which could affect rating. It was noted that OMB staff would provide a year-end report at the November 30, 2004 meeting.

Commissioner Grippa moved, duly seconded by Commissioner Rackleff and carried unanimously, 7/0, to approve Option 1: Accept staff's report on the County's fund balance policy as adequate to address natural disasters.

6. Authorization to Expend the Additional Fourth Cent Tourist Development Tax for Purposes Approved by the Community Redevelopment Agency Project Review Committee

The Board approved Option 1: Authorize the expenditure of the additional fourth-cent Tourist Development Tax for purposes approved by the CRA Project Review Committee. (On October 12, 2004, the Board adopted an ordinance imposing and levying a fourth-cent tourist development tax. Pursuant to the Downtown CRA Interlocal Agreement with the City, these funds will be allocated for a performing arts center with a consultant.)

7. Approval of FY 03/04 Year End Budget Adjustments

The Board engaged in discussion regarding the \$6 million capital project budget deficit; how much will Leon County get from the State's sales tax revenue due to increased sales of hurricane-related products; what amount will the County receive in excess fees from Constitutional Officers and from Public Services tax.

Commissioner Grippa requested an agenda item listing Constitutional Officers excess fees for FY 2003/04. He also inquired about the \$1.4 million appropriated to the County Attorney's budget for the FAC/DJJ lawsuit and requested the status of the lawsuit.

Commissioner Proctor asked that an on the County's budget deficit be placed on the Board Retreat Agenda.

Commissioner Grippa moved and was duly seconded by Commissioner Winchester to approve Option 1(with the addition): Approve FY 2003-2004 Year-End Close-Out resolutions and associated budget amendment and direct staff to bring back a status report on the FAC litigation appeal at the December 14, 2004 Board meeting. The motion carried unanimously, 6/0 (Commissioner Winchester was out of Chambers).

8. Authorization to Carry Forward FY 2003/04 Appropriations and Additional Capital Project Appropriations Requests

The Board approved Option 1: Approve carry forwards of FY 2003/04 appropriation to the FY 2004/05 budget and approve associated resolution and budget amendment:

9. Approval to Transfer \$44,646 from the Family Law Legal Services Fund Appropriated Fund Balance to Fund Continuing Circuit and County Mediation Services

The Board approved Option 1: Approve the transfer of \$4,660 from the Family Law Legal Services (Fund 114) appropriated fund balance to fund continuing Circuit and County Mediation Services, and approve the attached budget amendment and resolution:

10. Acceptance of Status Report on *Annie Barber, Et Al v. Leon County*, Case No. 00-2460, Motion to Tax Cost and Fees

The Board approved Option 1: Accept the status report. (Staff was directed on October 12, 2004 to report to the Board on the County's Motion to tax costs and fees in the litigation related to the siting of the Leon County Solid Waste Transfer Station. The matter went to trial and on February 8, 2002, Judge Ferris entered a final judgment in favor of the Respondent, Leon County, dismissing Counts I and II of the Sixth Amended Petition for lack of subject matter jurisdiction, with prejudice. Thereafter, the County sought to tax costs and fees against the petitioner pursuant to Rule 1.525, *Florida Rules of Civil Procedure*.)

11. Acceptance of Report Regarding the Potential Abandonment of the Tomberlin Road Water Utility by the Lake Talquin Water Utility Company

The Board approved Option 1: Accept the Report.

12. Approval of the Emergency Management Preparedness and Assistance Trust Fund (EMPATF) Grant Agreement

The Board approved Options 1 and 2: 1) Accept the Emergency Preparedness and Assistance Trust Fund (EMPATF) Grant Agreement and authorize the Chairman to execute; 2) Authorize the Chairman to execute the letter designating the Emergency Management Director as the Agreement Administrator.

13. Approval of the Agreement Between Leon County and Florida State University for the Hazardous Materials Emergency Site Study Update

The Board approved Option 1: Approve the hazardous materials emergency site study update subcontract with FSU in the amount of \$7,095 and authorize the Chairman to execute.

14. Approval of Reclassifications of Justice Information System Positions in MIS

The Board approved Option 1: Approve the position reclassifications in the JIS (Justice Information System) Section of MIS (Management Information System).

15. Acceptance of Third Quarter Status Report on 2004 Board Retreat Priorities

The Board approved Option 1: Accept the Third Quarter Status Report on 2004 Board Retreat Priorities.

16. Request to Schedule a Workshop on the Transportation CIP/Orange Avenue for Tuesday, November 30, 2004 from 1:00 – 2:30 p.m.

The Board approved Option 1: Schedule a workshop on the Transportation CIP/Orange Avenue issue for November 30, 2004 at 1:00 – 2:30 p.m. *(Due to the cancellation of another workshop on this date, the time for the CIP/Orange Avenue workshop is now scheduled for 2:30 – 4:00 p.m.)*

17. Request to Schedule a Joint City/County Workshop on the Chattanooga, T. N Greenway Trail on Monday, December 6, 2004 from 3:00 – 5:00 p.m. at Mission San Luis

The Board approved Option 1: Schedule a workshop on the Chattanooga Greenway Trail for December 6, 2004 at 3:00 – 5:00 p.m. at Mission San Luis.

18. Request to Schedule a Workshop on Economic Development Issues for Tuesday, February 22, 2005 from 2:30 – 4:00 p.m.

The Board approved Option 1: Schedule a Board Workshop on Economic Development Issues for Tuesday, February 22, 2005, from 2:30 to 4:00 p.m.

19. Acceptance of Status Report and Request for Board Direction Regarding the Leon County Expanded Driver's Education Program

The Board approved Options 1 and 2: 1) Accept staff report on the status of the annual review of the Leon County Expanded Driver's Education Program and audit of PHS; 2) Authorize staff to complete the audit of PHS and report back to the Board before approving contracts to expend funds for FY 04/05 on this program.

20. Adoption of Resolution Modifying Boundaries of the Tallahassee/Leon County Enterprise Zone

The Board approved Option 1: Approve the attached Resolution, R04-65, modifying the Tallahassee/Leon County Enterprise Zone, as recommended by the Enterprise Zone Development Agency.

21. Approval to Renew the Agreement for Funding of Child Protection Examinations

The Board approved Option 1: Approve the third renewal of the annual agreement with Children's Home Society for the period of one year, from October 1, 2004 to September 30, 2005, for the provision of child protection examinations.

22. Approval to Renew the Primary Health Contracts for FY 2004/05 with Bond Community Health Care Center, Neighborhood Health Services, and Capital Medical Services

Commissioner Grippa pulled this item and the Board engaged in a lengthy discussion. Commissioner referred to the MGT Report by the 21st Century Council which spoke about the quality of life in Leon County. According to the MGT report, the visits to the emergency room have actually increased. Commissioner Grippa referenced the Chairman's comments suggesting endowing this program through a sales tax. He felt that the County was going down the path of being involved in health care in a major way and suggested going beyond staff in looking at the way indigent health care is being managed and to have some type of system in place. Commissioner Grippa noted that the City looked at outside entities and efficiency experts to review the program and the School Board retained the Chamber to put together a group to determine if expenditure is needed. He stated that the program in place is not having the desired effect, which is to reduce the burden of the emergency rooms at the two hospitals.

Commissioner Grippa moved to bring back an agenda item to seek an independent entity to suggest to the Board the most efficient cost-effective way to have this program. The motion was declared dead for lack of a second.

Commissioner Proctor wanted to know if there was an increase in the number of persons seen at the clinics and if there were checks and balances to ensure that services are provided only to Leon County residents. Staff advised that there were increases and that appropriate records are kept. Commissioner Proctor also requested that staff look into CHP's lack of commitment to serve patients and provide resources to the two clinics.

County Administrator Alam reminded the Board that a workshop is scheduled for early next year to discuss health plan options for County employees.

Commissioner Proctor moved, duly seconded by Commissioner DePuy and carried unanimously, 7/0, to approve Option 1: Approve the renewal of the Primary Healthcare Program contracts with Bond CHC, Neighborhood Health Services, and Capital Medical Society, and authorize the Chairman to execute.

23. Adoption of Resolutions Establishing Fee-in-Lieu of Sidewalk Construction

The Board approved Option 1: Adopt the attached Resolution R04-establishing the fee-in-lieu-of sidewalk construction at \$4 per square foot, effective immediately upon adoption, and authorize the Chairman to execute.

24. Adoption of Resolutions Authorizing the Transferring Property Rights and Execute Conveyances in Favor of Florida Department of Transportation (FDOT) to Facilitate Capital Circle Northwest Widening

The Board approved Options 1 and 2. **Due to typographical errors in the recommendation section, this item will be resubmitted for Board adoption on November 30, 2004.**

25. Approval to Waive Acquisition Policy No. 03-01 to Accept Drainage Easement from Tallahassee Homes LLC

The Board approved Option 1: Waive Policy No. 03-01, Section 5 (d) *Approval Authority for the Acquisition, Disposition, and Leasing of Real Property*, and accept drainage easement for recording in Public Record.

26. Acceptance of and Authorization to Record Right-of-way and Drainage Easement Documents for the Centerville Trace 2/3 Paving Project and Request to Schedule the First Public Hearing on Tuesday, December 14, 2004 at 6:00 p.m.

The Board approved Options 1 and 2: 1) Accept and authorize recording of the right-of-way and drainage easements acquired in for the Centerville Trace 2/3 Paving Project; 2) Schedule the first public hearing for Tuesday, December 14, 2004 at 6:00 p.m.

27. Ratification of Expenditures for Emergency Repairs to Bradfordville Stormwater Pond #6

The Board approved Option 1: Ratify expenditures for emergency repairs, totaling \$262,240 to repair Bradfordville Stormwater Pond #6.

28. Approval of Travel Expenses for Commissioner Rackleff to Attend the Florida Association of Counties (FAC) Legislative Conference in Sarasota County on December 1-3, 2004

The Board approved Option 1: Approve travel expenses.

Citizens to Be Heard on Non-Agendaed Items (3-minute limit; non-discussion by Commission)

Lila Richardson, Baron Road, Crown Ridge Estates, requested the Board assist the residents of Crown Ridge with the 2/3 assessment lien (property taxes). Mrs. Richardson pointed out that some of the residents only have an income of \$500 a month and cannot pay their tax bill and will have to move.

Commissioner Proctor pointed out that it is possible that some of the residents may not have understood that the road construction costs would be a lien assessed against their property, part of the ad valorem tax bill, and the large amount that it would be. He suggested that the County Attorney research the issue and see if there is some "wiggle room" that looks at criteria for extenuating circumstances such as an impoverished neighborhood (as Ms. Richardson suggested). He recommended putting a clause in the 2/3 ordinance that addresses a threshold of low-income or very-low income and perhaps the cost can be recalculated from 15 to 20 year payback.

Commissioner Grippa engaged in discussion about the interest rate and stated that if they are high, perhaps the Board should revamp the 2/3 Ordinance and lower the interest rates for all 2/3 projects. He recommended that staff bring information to the Board on the interest rates for all 2/3 projects and look at competitive rates.

Commissioner DePuy inquired if there was a way to pay it in installments. Staff advised that the non ad valorem assessment lien is attached to the property tax bill, and quarterly arrangements can be made to pay the tax bill. It has to be done in advance, so it would not apply to this year. Mr. Alam explained that staff will look at the interest charged as requested and look at setting up a program to pay it on a monthly basis. Once it is brought to the Board and approved, residents who pay 2/3 assessment liens will be advised. Mr. Thiele explained that a change would not apply to this year property taxes (2004).

29. Approval of Contracts for New Enhanced 9-1-1 System

This agenda item requests the Board's approval of a contract with CML/AK & Associates to procure a new 9-1-1 System with authorization to the Chairman to execute the contract.

Commissioner Sauls moved and was duly seconded by Commissioner Rackleff to approve Option 1: Approve the contract with CML/AK & Associates to procure a new 9-1-1 system for Leon County and authorize the Chairman to execute the contract.

The Board engaged in discussion regarding the cost of the CML/AKAKA compared to the cost of the Sprint contract; the quality of the equipment and system and satisfaction with the vendor. Ben Pingree, Assistant to the County Administrator, explained that CML was about \$500,000 higher than the Sprint contract. He stated that the terms and conditions required by Sprint were not terms that were allowable under the County's RFP or advisable for the County. Mr. Pingree also pointed out that CML has substantial MBE participation and they have also agreed to work to bring in MBE qualified firms when possible. Commissioner Proctor urged staff to keep account of this and advise the Board if the status changes.

County Administrator Alam explained that Sprint and CML are two different systems and CML claims that over a seven-year period they hope to save the County over \$900,000. Mr. Alam stated that the consultant and the technical committee are recommending CML because they feel it is a better system from a technical standpoint.

Richard Smith, Emergency Management, explained that certain components of the system, regardless of the vendor, are controlled by the PSC tariff and could go up over time, although he does not expect it to increase substantially.

The motion on the floor carried unanimously, 7/0.

30. Appointments

Chaires-Capitola Recreation Council: Commissioner DePuy reappointed Mary Beveridge; Commissioner Grippa reappointed Dorothy Spence; Commissioner Rackleff reappointed Carlos Alvarez; Commissioner Sauls reappointed Art Beveridge; Chairman Thael reappointed Fred Palmer; Commissioner Winchester continued his appointment to November 30, 2004.

Community Redevelopment Agency (Ex-Officio): Commissioner Winchester suggested appointing Joe Bufkin. Commissioner Sauls advised that she received a phone call from CRC asking if Dr. Henry

Lewis and Kim Williams would be considered for appointment. It was the consensus of the Board to appoint Dr. Henry Lewis and Kim Williams; if one of them cannot serve, then Joe Bufkin would replace one.

Human Services Grant Review Committee: Commissioners DePuy and Grippa continued their appointments to November 30, 2004.

Commissioner Grippa stated that he would like to check the attendance record of the appointments. Agenda Coordinator Christine Coble explained that the Chairman of each committee would notify her if there is an attendance problem and to date, she had not heard from anyone from the HSGRC about a problem. **Commissioner Grippa asked that the issue be brought back.** Commissioner Proctor appointed Ms. McGlockton. Commissioner Rackleff appointed Kaleema Muhammed. (Chairman Thaell reminded the Board that the addresses and phone numbers of the appointments should be provided to the Agenda Coordinator.) Commissioner Sauls reappointed Sam Bruce. Chairman Thaell reappointed Jerry Moore; Commissioner Winchester appointed Judith Royce.

Library Advisory Board: Commissioner Proctor appointed Joe Musgray; Commissioner Sauls reappointed Marilyn Mason; Chairman Thaell reappointed Lester Abberger; Commissioner Rackleff appointed Bryan Lupioni.

Miccosukee Board of Directors: Commissioner DePuy reappointed Linda Sue Cromartie; Commissioner Grippa reappointed David Hall and requested that staff provide an attendance sheet and amount of committee meetings that have taken place under the leadership of the current chairman. Commissioner Proctor reappointed Perry Duhart; Commissioner Rackleff reappointed George Long; Commissioner Winchester reappointed Mary Young.

Neighborhood Recognition Committee: Commissioner Proctor reappointed Barbara Rollins; Commissioner Winchester reappointed Pat Wright.

Parks and Recreation Advisory Team: Commissioners Proctor and Sauls continued their appointment to November 30, 2004.

Senior Outreach Advisory Committee: (This committee includes 11 members- 7 from the Board of County Commissioners; one from the Dorothy C. Spence Community Center Board; one from the Fort Braden Community Center Board; one from the Miccosukee Community Center Board; one from the Tallahassee Senior Citizens Foundation Board.)

Commissioners DePuy, Proctor, and Sauls continued their appointments. Chairman Thaell continued his appointment to November 30, 2004.

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Commissioner Grippa appointed Carol Ostapchuk; Commissioner Rackleff appointed Joanne Black; Commissioner Winchester appointed Bryan DeLoges.

Commissioner Grippa noted that the Board has to confirm the appointments nominated by the Advisory Committee and asked if there were minutes of the meetings when they were nominated. He wanted to know if there was a letter from the Board members showing the nominations - he noticed that there were letters from the Chairman of two community center boards that were not representative of the full board. Staff advised that they contacted the Board chairman at the local centers. **Chairman Thael requested that staff bring this item back on November 30, and to request each community center board to pass a resolution or a letter formally appointing the individual.** Commissioner Sauls reported that the Ft. Braden Community Board furnishes her copies of all the meeting minutes, which confirmed the election of Kathy Dispennette. Commissioner Grippa confirmed the appointment of Kathy Dispennette, Fort Braden Community Center Board of Directors. Staff advised that they had not seen minutes but had received correspondence from the Board chairs indicating the nominations were made by the Board as a whole. **The Board concurred (at the request of Commissioner Grippa) that resolutions from the community center boards be provided to the Board.**

Woodville Recreation Council: Commissioner DePuy continued his appointment. Commissioner Grippa reappointed Michael Bradham. Commissioner Proctor stated that he did not wish to appoint anyone to this council since it was not clear when the Board would provide a building which it committed to do. Commissioner Proctor requested that clarification on the status of the Woodville Recreation Council be provided before asking anyone to serve and waste their time. He wanted to know if the building was put in the budget and the schedule for its construction.

Tony Park, Public Works Director, explained that staff has recently received an appraisal and letter of correspondence from St. Joe Company; staff has initiated to work with the architect on design of the building; an agenda item on the purchase of the property would be brought back to the Board. Commissioner Proctor withheld his appointment at this time. The Chairman directed that an email be sent to Commissioner Proctor on the status, including budgeting and the timeline; and hopefully, Commissioner Proctor could make an appointment on November 30th.

Canopy Roads Citizens Committee: Commissioner Sauls moved, duly seconded by Commissioner Proctor and carried unanimously, 7/0, to reappoint Jim Lyle.

(Commissioner Rackleff asked staff why they have not moved forward with formulating the Landfill Advisory Committee and noted that he would discuss this later.)

Citizens to Be Heard on Non-Agendaed Items (6-minute limit)

- Lila Richardson, Baron Road, President of Crown Ridge Estates Homeowners Association, address the Board regarding assistance for residents at Crown Ridge that are unable to pay the 2/3 Road Project assessment (which is assessed to property taxes). She stated that some residents receive as little as \$500 per month to live on and cannot afford to pay the assessment lien.

The Board engaged in discussion regarding the 2/3 assessment liens and interest rate on the liens and directed that staff bring back an agenda item that includes a review of the 2/3 Ordinance for possible revisions or readjustment to the time frame for paying the lien back; review the contract with Crown Ridge Estates residents; demographics on whether area residents have the ability to pay the assessment; review the interest rate and determine if it is fair and equitable; look at options for monthly payment programs. The Board noted that if there are any changes to the 2/3 assessment, it would apply to the next tax year and not the current one.

County Attorney

County Attorney Thiele noted that the Board has the memo about the Department of Juvenile Justice (DJJ) case. Chairman Thael advised that the County Attorney was one of the lead litigators in the case and was widely recognized for doing a good job.

County Administrator

The County Administrator reminded the Board that some time back the Board purchased some flooded properties on Norwood Lane. A lot owner applied for a permit to build a house and met all the requirements. The issue was brought to the Board and the Board directed staff not to grant the permit and authorized Commissioner Grippa to enter negotiations. Mr. Alam explained that negotiations did not work out and the owner, an eminent domain attorney, has taken the issue to court. Mr. Alam recommended that the Board authorize staff to issue the permit since it has met requirements. He explained that the house would be built above the 100-year flood elevation and would not flood, although the lot could flood and this notation would be made on the permit.

Commissioner DePuy wanted to know if there was some way for the person buying the home to know that it is in a flood prone area. Attorney Thiele responded that the Board has adopted a waiver and consent form, which is now in place but the subject permit was in place before the waiver and consent process was approved. This would apply to future permits but not the present one.

Commissioner Sauls moved, duly seconded by Commissioner Rackleff and carried unanimously, 7/0, to direct staff to issue the permit.

Discussion Items by Commissioners

Commissioner Sauls:

Thanked the Board for their support over the past year and gave best wishes to newly elected Chairman Thaeil.

Commissioner DePuy

Stated that he was looking forward to working with the Board and hoped that the City and County would work together to accomplish some important issues.

Commissioner Proctor

- a. Requested a resolution for the late C. E. Walker, co-founder of the Walker-Ford Center, to be presented at his memorial service. The Board concurred.
- b. Commissioner Proctor moved, duly seconded by Commissioner Winchester and carried unanimously, 7/0, to agenda the Soul Santa funding request (\$2,500).
- c. Commissioner Proctor briefly discussed the Prince Georges County, MD as a sister county. Commissioner DePuy moved, duly seconded by Commissioner Winchester and carried unanimously, 7/0, to agenda discussion of creating a "sister county" relationship with Prince Georges, MD.
- d. Requested the workshop on the Fairgrounds Report be rescheduled from November 30, 2004 to January 2005 and the Workshop on Orange Avenue be scheduled for 2:30 p.m.

(It was noted that the Mayor will be sharing at a workshop his experiences with the City and County that he had in Chattanooga, Tennessee regarding their greenway.)

Commissioner Rackleff

- a. Requested a resolution for returning troops of the 160 U. S. Military Police Division for the December 14, 2004 Board meeting.
- b. Commissioner Rackleff wanted to know when appointments to the Landfill Liaison Committee would be brought to the Board. Staff advised that it would be on November 30, 2004.
- c. Commissioner Rackleff moved and was duly seconded by Commissioner DePuy to agenda the emergency funding request of \$30,000 by the Brehon Institute.

Commissioner Rackleff explained the emergency situation that Brehon was in and pointed out that he did not follow up on the \$61,000 additional allocation to CHSP for emergencies and, therefore, it had already been allocated.

Commissioner Grippa indicated that other areas may also need emergency funding such as Miccosukee Boys and Girls Club, Ft. Braden Community Center and others. He pointed out that there should be process for judging the emergency (and the process could be through CHSP). Commissioner Grippa moved a substitute motion to direct staff to bring back a proposed process for dealing with emergency funding requests at the same time of the Brehon funding request item. County Administrator Alam indicated that the funding would come from contingency. There was no second to the substitute motion, but Commissioner Rackleff restated and clarified his motion.

Commissioner Rackleff restated his motion: To bring back at the next meeting, an appropriation from the Contingency Fee that would be appropriate to fund emergency requests such as the one from Brehon and CHSP would do the allocating based on their rigorous standards and procedures. Commissioner DePuy concurred and his second to the motion stands. The motion carried unanimously, 7/0.

Commissioner Grippa

- a. Commissioner Grippa moved, duly seconded by Commissioner Sauls and carried unanimously, 6/0 (Commissioner Proctor was out of Chambers), to agenda an item regarding the Hazmat recycling program and the fee the County charges, and the possibility of increasing the number of Hazmat neighborhood pick-ups.
- b. Commissioner Grippa moved, duly seconded by Commissioner Sauls and carried unanimously, 6/0 (Commissioner Proctor was out of Chambers), to waive the time-filing criteria of the "Grant to Active Duty Personnel" policy

for Major Weiss. (The application was filed late and the Board is the body that can grant a waiver.)

- c. Requested a resolution congratulating Joey Charron, Conference USA Player of the Year, on his Pro contract with the Toronto Blue Jays.
- d. Stated that he read an interesting analysis of "Bottle Club" from the County Attorney and urged other Board members to read it. Commissioner Grippa stated that he would now like to agenda an item describing the process. Commissioner Grippa moved, duly seconded by Commissioner DePuy and carried unanimously, 6/0 (Commissioner Proctor out of Chambers), to agenda an item regarding "Bottle Clubs."
- e. Requested information about Leon County not providing "gurney" transportation service for the disadvantaged citizens that need to be transported on a stretcher and talked about the County's ambulance possibility providing the service. Commissioner Rackleff briefly explained the bidding process to provide the service and stated that he would provide an update to the Board.

Commissioner Winchester

- a. Commissioner Rackleff moved and was duly seconded by Commissioner Grippa to bring back an agenda item regarding amending the Comprehensive Plan to close the "Lake Protection" loophole. Commissioner Winchester explained that this would basically take out the eligibility of mixed use A, regardless, if is an open or closed basin and it would limit the activity allowed in Lake Protection area. County Attorney Thiele explained that if a Comp Plan were done, it would not be retroactive. Commissioner Winchester stated that he has talked to Wayne Tedder, Planning Department Director, regarding this. The motion carried unanimously, 7/0.
- b. He requested the Grants Coordinator to communicate with Congressman Boyd's Office and the County's federal lobbyist to pursue the federal funds for Lake Jackson retrofit. Commissioner Winchester stated that this is a Blueprint 2000 funded project and each year the costs keep rising.
- c. Requested a resolution for Premier Construction thanking Steve and Pepper Ghazvini and Tom Asbury for their generosity to the community, especially regarding the Thanksgiving Dinner for the needy.
- d. Asked that the Board keep Anthony "Tony" Miller, deployed in Iraq in their prayers.

Commissioner Thaeil

- a. Requested a resolution for Swift Creek Middle School Recycling Program that collected 10,000 pounds of trash and converted into dollars. Two Leon County elementary schools plan to model the program.
- b. Noted that there will be a Thanksgiving Dinner on Friday at Growth Management, and Commissioners are invited.

Commissioners congratulated newly elected Commissioners: Jane Sauls, Tony Grippa, and Ed DePuy. They also commended the new Chairman, Cliff Thael, and the new Vice-Chairman, Bill Proctor.

Commissioner DePuy introduced his Aide, Sal Tozzi, to the Board.

There being no further business to come to the Board, the meeting was adjourned at 8:05 p.m.

APPROVED: _____
Cliff Thael
Chairman

ATTEST:

Bob Inzer
Clerk of the Circuit Court